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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,001	01/02/2001	Walter G. Bright	41003.P032	3447

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EXAMINER

RONES, CHARLES

ART UNIT	PAPER NUMBER
2175	8

DATE MAILED: 07/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/754,001	BRIGHT ET AL.
	Examiner Charles L. Rones	Art Unit 2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 5-27-03.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-24 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-24 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.

4) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 6, 8-13, 15-20, and 22-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Teper et al. (U.S. Patent No. 5,815,665).

As to claim 1, 11, and 18, Teper et al. teaches a method comprising: receiving a request from a client to access a subscribed online service of a subscriber at an online service provider (see Fig.1, see column 6, lines 1-7), said request comprising a globally unique identifier (GUID) of the subscriber (see column 5, lines 56-60, also see column 6, lines 10-13, where “GUID” is read on “unique ID”); determining if the GUID is associated with the subscriber (see column 6, lines 14-25); and facilitating access to the subscribed online service of the subscriber if the GUID is associated with the subscriber (see column 6, lines 50-67).

As to claims 2, 12, and 19, Teper et al. teaches a method, further comprising: determining if a request for roaming capability is received, said request for roaming

capability includes an email address; and facilitating the roaming capability utilizing the received email address upon so determining (As to the limitation, "roaming" as recited in claim 2, the examiner relies on the description provided by the applicant in the disclosure on page 11, 3<sup>rd</sup> paragraph. In this section the meaning of roaming is defined as access to the online services is being made available to more than one user (see column 2, lines 49-56; where the system is operable in any type of distributed network over which online services are provided, which apparently means any one having access to the internet from anywhere should be able to access the online services). As to the email address, Teper teaches sending emails to its users (see column 19, lines 55-57, see column 8, lines 12-15).)

As to claims 3, 13, and 20, Teper et al. teaches a method, wherein said facilitating comprises sending an email, including the GUID associated with the subscriber, to the email address (see column 19, lines 55-57, see column 10, lines 51-57, also see column 3, lines 14-16).

As to claims 4, Teper et al. teaches a method, wherein the method further comprises storing the GUID including email at an email service provider hosting said email address (see column 1, lines 24-26, where MSN or AOL provide online email services that includes storing emails, see column 10, lines 51-57, and also see column 3, lines 14-18).

As to claims 6, 15, and 22, Teper et al. teaches a method, wherein said GUID is stored in a cookie at the client (see column 3, lines 50-53; where "cookie" is read on "temporary cache").

As to claim 8, Teper et al. teaches a method, wherein said retrieval is performed from a subsequent location that is different from an original location where the subscriber caused said email to be stored at said email service provider or from the same original location after the subscriber reconfigured the original location (see column 2, lines 51-56, also see column 7, lines 44-47).

As to claims 9, 16, and 23, Teper et al. teaches a method, further comprising: receiving subscription data including the GUID; and associating the GUID with the subscriber (see column 3, lines 13-18, see column 10, lines 44-65).

As to claims 10, 17, and 24, Teper et al. teaches a method, wherein said receiving of subscription data comprises the user filling out fields of a web site of the online service provider (see column 1, lines 54-65).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 7, 14, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teper et al. (U.S. Patent No. 5,815,665) in view of Strandberg U.S. Patent Application Publication No. 2002/0161589 ('Strandberg').

As to claims 5, 14, and 21, Teper et al. discloses the claimed invention except for a method wherein said facilitating comprises sending an email with an uniform resource locator (URL) of the online service provider to the email address. Strandberg teaches that it is known to provide a method wherein said facilitating comprises sending an email with an uniform resource locator (URL) of the online service provider to the email address. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a method wherein said facilitating comprises sending an email with an uniform resource locator (URL) of the online service provider to the email address as taught by Strandberg, since Standberg states at paragraphs [0020-0023], line that such a modification would provide security measures by encrypting the email message sent to the interested party to provide a URL in order that no one else but the interested party could access the information.

As to claim 7, the modified invention of Teper et al. teaches a method, wherein the method further comprises retrieving the GUID from an email stored at an email service provider (see Strandberg: Fig. 3; paragraphs [0020-0023].)

***Response to Arguments***

Firstly, Applicant argues that Tamer does not disclose a globally unique identifier for a subscriber.

In response, Examiner maintains that Tamer discloses a globally unique identifier for a subscriber (3:60-64) wherein the subscriber is deemed to be the registered user and the globally unique id is deemed to be the unique id. Wherein the unique id is created for users who login over the Internet (online service) therefore deemed to be globally unique.

Secondly, Applicant argues that Tamer does not disclose an online service.

In response, Examiner maintains that Tamer discloses an online service since the service can be accessed over the Internet.

Thirdly, Applicant argues that Tamer does not disclose roaming capability and an email request to service a client in any location. See 7:40-65; 8:1-20.

In response, Examiner maintains that Tamer discloses such wherein Tamer discloses accessing the Internet is deemed to be accessed anywhere in the world.

Fourthly, Applicant argues that Tamer does not disclose email having a GUID.

In response, Examiner maintains that Tamer discloses such wherein the user's unique id is deemed to be a GUID and is sent in a message to the user. See 9:50-60.

Lastly, Applicant argues that Tamer does not disclose email the URL of the service provider and retrieving the GUID from an email stored at the service provider.

In response, this issue is moot based on new rejection.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of art with respect to method of accessing online services in general:

U.S. Patent No. 5,903,729 to Reber et al. – Teaches navigating electronic network

U.S. Patent No. 5,815,665 to Teper et al. – Teaches brokering services over internet

U.S. Patent No. 6,408,336 to Schneider et al. – Teaches access to data over internet.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles L. Rones whose telephone number is (703-306-3030. The examiner can normally be reached on Mondays – Fridays from Monday-Thursday 8am-4pm pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached on (703-305-3830. The fax numbers of the group is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

*Charles Rones*  
Charles L. Rones  
Primary Examiner  
Art Unit 2175

Prakash Punit  
Patent Examiner  
Au 2175

July 24, 2003